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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/570,050	02/27/2006	Yiping Fan	US030282US2	5345

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EXAMINER

LE, DINH THANH

ART UNIT	PAPER NUMBER
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2816

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	01/19/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/570,050

Applicant(s)

FAN, YIPING

Examiner

DINH T. LE

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>2/27/06</u> . | 6) <input type="checkbox"/> Other: ____. |

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DETAILED ACTION

Abstract

The Abstract is objected to because it is not a single paragraph in a separate sheet.

Correction is required.

Drawings

The drawings are objected to in that boxes (202, 204) in Figure 2 and boxes (302, 304) in Figure 3 should be labeled as their function. Correction is required.

Specification

The specification has been checked to the extent necessary to determine the presence of all possible minor errors. However, the applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Claim Rejections

Claim Rejections - 35 USC § 112

Claims 5 and 15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Correction or clarification is required. The same is true for claim 15.

In claim 5, it is not understood what the “characteristic” on line 2 is and how it can be “selected”.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 4-6 and 9-18 are rejected under 35 USC 102 (b) as being anticipated by Sawada et al (US 6,693,501).

Regarding claims 1 and 11, Sawada et al discloses in Figures 1 and 5A-5B a filter circuit comprising:

- at least two cascading filters (1, 3, Figure 1) having passband ripples (Figures 5A-5B) nearly equal in magnitude and out of phase with respect to each other in order to minimize a passband ripple in the composite filter.

Regarding claims 4 and 14, wherein at least one of the at least two cascading filters comprises an analog filter. Regarding claims 5 and 15, wherein at least one characteristic of the at least two cascading filters (202, 204) is inherently selected to minimize the passband ripple in the composite filter, Figures 5A-5B).

Regarding claims 6 and 18, characterized in that the at least one characteristic comprises the order of the at least two cascading filters.

Regarding claims 9 and 16, characterized in that the at least one characteristic comprises a bandwidth of the at least two cascading filters (Figures 5A-5B).

Regarding claims 10 and 17, characterized in that the at least one characteristic comprises a stopband attenuation of the at least two cascading filters, Figure (5C).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3, 7-8 and 19-20 are further rejected under 35 USC 103 (a) as being unpatentable over Sawada et al (US 6,693,501).

Sawada et al discloses a filter circuit with all of the limitations of the claimed invention as stated above but does not disclose that at least one of the at least two cascading filters comprises a digital filter and claims 3 and 13 or the at least one filter is an even order filter and at least one filter is an odd order filter and the even order and the odd order differ in value by one as recited in claims 7-8 and 19-20. However, as well known in the art, the filter circuit comprises different types such as digital filter and analog filter and the order of the filter circuit can be selected to have a predetermined pass-band. Selecting the type and the orders for the filter for the circuit of Saw et al is considered to be a matter of a design expedient for an engineer depending on a particular environment in which the circuit of Sawada eta l is to be used. Lacking of showing any criticality, it would have been obvious to a person having skill in the art at the time the invention was made to select the digital filter or the filter orders for the circuit of Sawada et al as claimed for the purpose of provide a predetermined pass-band to accommodate with a requirement of a predetermined system.

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DINH T. LE whose telephone number is (571) 272-1745. The examiner can normally be reached on Monday-Friday (8AM-7PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TIMOTHY CALLAHAN can be reached at (571) 272-1740.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



DINH LE
Primary Examiner

1/9/07